

This record is a partial extract of the original cable. The full text of the original cable is not available.

080950Z Jan 02

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ACTION AF-00

INFO	LOG-00	NP-00	A-00	ACQ-00	CIAE-00	INL-00	USNW-00
	DODE-00	DS-00	EUR-00	UTED-00	VC-00	TEDE-00	INR-00
	LAB-01	VCE-00	DCP-01	NSAE-00	TEST-00	USIE-00	IIP-00
	DSCC-00	DRL-02	NFAT-00	SAS-00	/004W		

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FM AMEMBASSY HARARE
TO SECSTATE WASHDC PRIORITY 0658
INFO NSC WASHDC
AMEMBASSY PRETORIA
AMEMBASSY LUSAKA
AMEMBASSY WINDHOEK
AMEMBASSY GABORONE
AMEMBASSY LILONGWE
AMEMBASSY LONDON

UNCLAS HARARE 000063

SIPDIS

AF/PD FOR COX, ROBERTSON, SCHLACHTER, AF/S FOR KRAFT, AF/P,
INR/R/MR, NSC FOR JENDAYI FRAZER

E.O. 12958: N/A

TAGS: [Z1 PREL PHUM](#)

SUBJECT: MEDIA REPORT: TWO CONTROVERSIAL BILLS TO BE TABLED
IN PARLIAMENT THIS WEEK; HARARE

- [11.](#) TWO CONTROVERSIAL BILLS - THE ACCESS TO INFORMATION AND PROTECTION OF PRIVACY BILL AND THE PUBLIC ORDER AND SECURITY BILL (POSB) - ARE PREPARED FOR TABLING IN PARLIAMENT THIS WEEK. PARLIAMENT RESUMES BUSINESS ON JANUARY 8 AFTER A THREE-WEEK BREAK. WHILE THE ACCESS TO INFORMATION BILL SEEKS "TO REGULATE THE OPERATIONS OF THE MEDIA, ESPECIALLY THE PRIVATE PRESS," THE POSB COMES BACK TO THE HOUSE SEEKING TOUGHER MEASURES TO DEAL WITH "ACTS OF TERRORISM AND PUBLIC VIOLENCE." THE SAME BILL WAS DEBATED AND PASSED BY PARLIAMENT THREE YEARS AGO, BUT PRESIDENT ROBERT MUGABE DECLINED TO SIGN IT INTO LAW. THE TWO BILLS HAVE BEEN CRITICIZED AS "UNCONSTITUTIONAL."
- [12.](#) ACCORDING TO THE ZIMBABWE CHAIRPERSON OF THE MEDIA INSTITUTE OF SOUTHERN AFRICA (MISA), RAYHANA MASTERS-SMITH, CONSTITUTIONAL LITIGATION AGAINST THE GOVERNMENT IS ON THE CARDS IF PARLIAMENT PASSES THE ACCESS TO INFORMATION AND PROTECTION OF PRIVACY BILL. AMONG THE ORGANIZATIONS READY TO FILE THEIR SUITS THE MOMENT THE BILL IS PRONOUNCED LAW INCLUDE MISA, THE LAW SOCIETY OF ZIMBABWE (LDZ), THE FEDERATION OF AFRICAN MEDIA WOMEN OF ZIMBABWE (FAMWZ), THE LEGAL RESOURCES FOUNDATION (LRF), AND THE HUMAN RIGHTS LAWYERS OF ZIMBABWE (HRLZ). THE BILL, WHICH WAS GAZETTED BY THE GOVERNMENT ON NOVEMBER 30 LAST YEAR, HAS BEEN ROUNDLY CRITICIZED AS "UNCONSTITUTIONAL AND DESIGNED TO GAG THE OPERATIONS OF THE PRESS, ESPECIALLY THE PRIVATE MEDIA." THE ARGUMENT BY THE CIVIC AND MEDIA ORGANIZATIONS IS THAT WHILE THE BILL OSTENSIBLY PURPORTS TO GIVE THE PEOPLE, AND THE MEDIA IN PARTICULAR, THE RIGHT TO INFORMATION HELD BY PUBLIC BODIES, IN REALITY IT SUFFOCATES THE MEDIA AND

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GUARANTEES TOTAL SILENCE ON ISSUES OF PUBLIC CONCERN.

- [13.](#) THE TWO BILLS ARE EXPECTED TO BE FAST-TRACKED THROUGH PARLIAMENT THIS WEEK, AS THE RULING ZANU PF GOVERNMENT HAS THE REQUIRED SINGLE MAJORITY TO PASS ANY PIECE OF LEGISLATION.

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